

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GREGORY HARDY,

Plaintiff,

v.

LETAVIS ENTERPRISES, INC., et al.,

Defendants.

Case No. 1:18-cv-1077

HON. JANET T. NEFF

ORDER

This is a civil action filed by a *pro se* litigant. Defendants Letavis Enterprises, Inc., TJ Hengstebeck and Matt Ganser filed a Motion to dismiss. On August 14, 2019, the Magistrate Judge issued a Report and Recommendation, recommending that the motion be granted, Plaintiff's claims against Defendant Jane Doe Samantha be dismissed for failure to timely effect service, this matter terminated, and that an appeal of this matter would not be taken in good faith. The Report and Recommendation was duly served. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF. No. 30) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants Letavis Enterprises, Inc., TJ Hengstebeck and Matt Ganser's Motion to Dismiss (ECF No. 26) is GRANTED for the reasons set forth in the Report and Recommendation.

IT IS FURTHER ORDERED that Plaintiff's claims against Defendant Jane Doe Samantha are DISMISSED without prejudice for failure to timely effect service.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*,

114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: September 4, 2019

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge